

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HP TUNERS, LLC,)	Case No. 3:18-cv-00527-LRH-CSD
)	
Plaintiff,)	<u>MINUTES OF COURT</u>
)	
vs.)	January 30, 2023
)	
KENNETH CANNATA,)	
)	
Defendant.)	
	/	

PROCEEDINGS: Bench Trial (Day One)

PRESENT: THE HONORABLE LARRY R. HICKS, UNITED STATES DISTRICT JUDGE

COURTROOM ADMINISTRATOR: Paris Rich REPORTER: Kathy French

COUNSEL FOR PLAINTIFF: Andrew P. Bleiman, Esq. and Justin M. Klein, Esq.

COUNSEL FOR DEFENDANT: Bart K. Larsen, Esq. and Kyle Wyant, Esq.

At 10:35 a.m., the Court convenes.

On behalf of the Plaintiff, Mr. Bleiman and Mr. Klein are present with Keith Prociuk, CEO of HP Tuners, LLC. Also present is Elizabeth Dendary, Certified Paralegal.

On behalf of the Defendant, Mr. Larsen and Mr. Wyant are present with Defendant Kenneth Cannata.

The Court addresses the anticipated trial scheduled for this week.

At 10:37 a.m., on behalf of the Plaintiff, Mr. Bleiman presents opening statements.

At 11:00 a.m., on behalf of the Defendant, Mr. Larsen presents opening statements.

At 11:49 a.m., the Court stands at recess until 1:10 p.m.

At 1:12 p.m., the Court reconvenes. All parties are present.

Mr. Bleiman recites the parties' stipulated exhibits into the record. Mr. Larsen states the defense does stipulate to the actual emails of Plaintiff's Exhibits 16, 20, 23, 28, 29, and 30 but not to the attachments to the emails. The Court will address the attachments as these Exhibits are discussed.

Pursuant to stipulation of the parties, **IT IS ORDERED that the Plaintiff's Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 20, 23, 24, 25, 26, 27, 28, 29, 30, 71, 87, 88, 89, 90, and 91 are received into evidence.**

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KEITH PROCUIK, CEO of HP Tuners, LLC, called on behalf of the Plaintiff, is sworn, examined on direct by Mr. Bleiman, and released subject to recall.

Plaintiff's Demonstrative Exhibits 102B, 102A, and 103 are broadcast.

At 2:52 p.m., the Court stands at recess.

At 3:40 p.m., the Court reconvenes. All parties are present.

Following an extended break, Mr. Bleiman informs the Court the parties have reached a resolution of this matter. Mr. Larsen agrees the parties have reached an agreement in principle and need to complete the terms of the confidential settlement. The Court and counsel confer.

IT IS ORDERED that Bench Trial (Day Two) is set for Tuesday, January 31, 2023 at 1:00 p.m. in Reno Courtroom 3 before Judge Larry R. Hicks.

At 3:45 p.m., the Court adjourns.

DEBRA K. KEMPI, CLERK

By: _____/s/
Paris Rich, Deputy Clerk